

Application Number 10/587,801
AMENDMENT of July 8, 2010
Response to Office Action of April 28, 2010

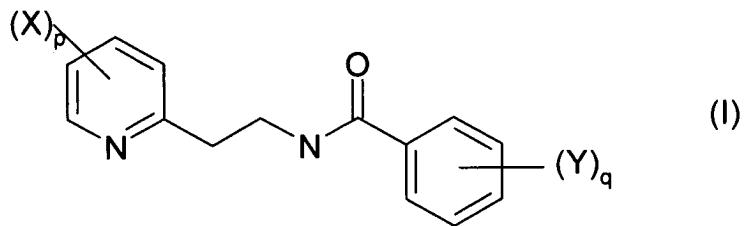
Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

1. (Currently Amended) A composition comprising:

a) (a) a pyridylethylbenzamide derivative of general formula (I)



in which:

p is an integer equal to 1, 2, 3 or 4;

q is an integer equal to 1, 2, 3, 4 or 5;

each substituent X is chosen, independently of the others, as being selected from the group consisting of halogen, alkyl or and haloalkyl;

each substituent Y is chosen, independently of the others, as being selected from the group consisting of halogen, alkyl, alkenyl, alkynyl, haloalkyl, alkoxy, amino, phenoxy, alkylthio, dialkylamino, acyl, cyano, ester, hydroxy, aminoalkyl, benzyl, haloalkoxy,

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halosulphonyl, halothioalkyl, alkoxyalkenyl, alkylsulphonamide, nitro, alkylsulphonyl,

phenylsulphonyl or and benzylsulphonyl;

as and to the N-oxides of the 2-pyridine moiety thereof; and

b) (b) a compound capable of inhibiting the ergosterol biosynthesis;

in a an (a)/(b) weight ratio of from 0.01 to 20.

2. (Currently Amended) ~~A The~~ composition according to of claim 1, characterised in that
10 wherein p is 2.

3. (Currently Amended) ~~A The~~ composition according to of claim 1, characterised in that
10 wherein q is or 2.

4. (Currently Amended) ~~A The~~ composition according to of claim 1, characterised in that
10 wherein each X is chosen, independently of the others, as being selected from the group
consisting of halogen or and haloalkyl.

5. (Currently Amended) ~~A The~~ composition according to of claim 1, characterised in that
10 wherein each X is chosen, independently of the others, as being selected from the group
consisting of a chloro atom or and a trifluoromethyl group.

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6. (Currently Amended) ~~A The~~ composition according to ~~of~~ claim 1, characterised in that
10 wherein each Y is chosen; independently ~~of the others, as being selected from the group~~
consisting of halogen ~~or and~~ haloalkyl.

7. (Currently Amended) ~~A The~~ composition according to ~~of~~ claim 1, characterised in that
10 wherein each Y is chosen; independently ~~of the others, as being selected from the group~~
consisting of a chloro atom ~~or and~~ a trifluoromethyl group.

8. (Currently Amended) ~~A The~~ composition according to ~~of~~ claim 1, characterised in that
10 wherein the compound of ~~general~~ formula (I) is selected from the group consisting of:
N-{2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2-trifluoromethylbenzamide;
N-{2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2-iodobenzamide; ~~or and~~
N-{2-[3,5-dichloro-2-pyridinyl]ethyl}-2-trifluoromethylbenzamide.

9. (Currently Amended) ~~A The~~ composition according to ~~of~~ claim 8, characterised in that
wherein the compound of ~~general~~ formula (I) is
N-{2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2-trifluoromethylbenzamide.

10. (Currently Amended) ~~A The~~ composition according to ~~of~~ claim 1, characterised in that
wherein the compound capable of inhibiting the ergosterol ~~biosynthesis~~ biosynthesis is a

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triazole derivative selected from the group consisting of azaconazole, bitertanol, bromuconazole, cyproconazole, difenoconazole, diniconazole, epoxiconazole, fenbuconazole, fluquinconazole, flusilazole, flutriafol, hexaconazole, imibenconazole, ipconazole, metconazole, myclobutanil, penconazole, propiconazole, prothioconazole, simeconazole, tetaconazole, triadimefon, triadimenol, triticonazole, diclobutrazole, etaconazole, fluotrimazole, furconazole, furconazole-cis, triamiphos, and triazbutil.

11-18. (Canceled)

19. (Currently Amended) ~~A~~ The composition according to of claim + 10 further comprising a fungicidal compound (c) that is different from (a) and (b) and is selected from the group consisting of azaconazole, azoxystrobin, (Z)-N-[.alpha.-(cyclopropylmethoxyimino)-2,3-difluoro-6-(trifluoromethyl)-benzyl]-2-phenylacetamide, 6-iodo-2-propoxy-3-propylquinazolin-4(3H)-one, benalaxyl, benomyl, benthiavalicarb, biphenyl, bitertanol, blasticidin-S, boscalid, borax, bromuconazole, bupirimate, sec-butylamine, calcium polysulfide, captafol, captan, carbendazim, carboxin, carpropamid, chinomethionat, chlorothalonil, chlozolinate, copper hydroxide, copper octanoate, copper oxychloride, copper sulfate, cuprous oxide, cyazofamid, cymoxanil, cyproconazole, cyprodinil, dazomet, debacarb, dichlofluanid, dichlorophen, diclobutrazole, dicloctymet, diclomezine, dicloran, diethofencarb, difenoconazole, difenoquat metilsulfate, difenoquat,

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diflumetorim, dimethirimol, dimethomorph, diniconazole, dinobuton, dinocap, diphenylamine,
dithianon, dodemorph, dodemorph acetate, dodine, edifenphos, epoxiconazole, etaconazole,
ethaboxam, ethirimol, ethoxyquin, etridiazole, famoxadone, fenamidone, fenarimol,
fenbuconazole, fenfuram, fenhexamid, fenpiclonil, fenoxanil, fenpropidin, fenpropimorph,
fentin, fentin hydroxide, fentin acetate, ferbam, ferimzone, fluazinam, fludioxonil, fluoroimide,
fluoxastrobin, fluquinconazole, flusilazole, flusulfamide, flutolanil, flutriafol, folpet,
formaldehyde, fosetyl, fosetyl-aluminium, fuberidazole, furalaxyl, furametpyr, guazatine,
guazatine acetates, hexachlorobenzene, hexaconazole, 8-hydroxyquinoline sulfate, potassium
hydroxyquinoline sulfate, hymexazol, imazalil sulfate, imazalil, imibenconazole, iminoctadine,
iminoctadine triacetate, ipconazole, iprobenfos, iprodione, iprovalicarb, isoprothiolane,
kasugamycin, kasugamycin hydrochloride hydrate, kresoxim-methyl, mancopper, mancozeb,
maneb, mepanipyrim, mepronil, mercuric chloride, mercuric oxide, mercurous chloride,
metalaxyl, metalaxyl-M, metam-sodium, metam, metconazole, methasulfocarb, methyl
isothiocyanate, metiram, metominostrobin, mildiomycin, myclobutanil, nabam, nickel
bis(dimethyldithiocarbamate), nitrothal-isopropyl, nuarimol, octhilinone, ofurace, oleic acid,
oxadixyl, oxine-copper, oxpoconazole fumarate, oxycarboxin, pefurazoate, penconazole,
pencycuron, pentachlorophenol, sodium pentachlorophenoxyde, pentachlorophenyl laurate,
phenylmercury acetate, sodium 2-phenylphenoxyde, 2-phenylphenol, phosphorous acid,
phthalide, picoxystrobin, piperalin, polyoxinspolyoxin B, polyoxin, polyoxorim, probenazole,
prochloraz, procymidone, propamocarb hydrochloride, propamocarb, propiconazole, propineb,

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prothioconazole, pyraclostrobin, pyrazophos, pyributicarb, pyrifenox, pyrimethanil, pyroquilon,
quinoxyfen, quintozene, silthiforam, simeconazole, spiroxamine, sulfur, tar oils, tebuconazole,
tecnazene, tecaconazole, thiabendazole, thifluzamide, thiophanate-methyl, thiram,
tolclofos-methyl, tolylfluanid, triadimefon, triadimenol, triazoxide, tricyclazole, tridemorph,
trifloxystrobin, triflumizole, triforine, triticonazole, validamycin, vinclozolin, zineb, ziram and
zoxamide.

20. (Currently Amended) A The composition according to of claim 19, characterised in that
wherein the fungicidal compound (c) is selected from the group consisting of trifloxystrobin,
fluoxastrobin, pyrimethanil, thiabendazole, guazatine, imidoctadine, picoxystrobin,
pyraclostrobin, azoxystrobin, dimoxystrobin, metaminostrobin,
2-{2-[6-(3-chloro-2-methylphenoxy)-5-fluoro-pyrimidin-4-yloxy]-phenyl}2-m-
ethoxyimino-N-methylacetamide, captane, dodine, propineb, mancozeb, spiroxamine,
prothioconazole, tebuconazole, thirame, tolylfluanid, imidoctadine, dithianon, sulphur, copper
hydroxide, copper octanoate, copper oxychloride, copper sulfate, dinocap, quinoxyfen,
2-butoxy-6-iodo-3-propyl-benzopyran-4-one, fludioxonil, triazoxide, fosetyl-Al and phosphorous
acid.

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21. (Currently Amended) ~~A~~ The composition according to of claim 1, characterised in that it 10 further comprises comprising an agriculturally acceptable support, carrier, filler and/or surfactant.

22. (Currently Amended) A method for preventively or curatively controlling phytopathogenic fungi of crops, ~~characterised in that~~ comprising applying an effective and non-phytotoxic amount of ~~a~~ the composition according to of claim 1 is applied 10 to the seed, the plant and/or to the fruit of the plant or to the soil in which the plant is growing or in which it is desired to grow.

23. (New) The composition of claim 10 wherein the compound capable of inhibiting the ergosterol biosynthesis is a triazole derivative selected from the group consisting of bitertanol, cyproconazole, difenoconazole, epoxiconazole, fluquinconazole, hexaconazole, metconazole, myclobutanil, propiconazole, prothioconazole, and triadimenol.

24. (New) The composition of claim 23 wherein the compound capable of inhibiting the ergosterol biosynthesis is a triazole derivative selected from the group consisting of cyproconazole, fluquinconazole, and prothioconazole.